

PTO/SB/17 (10-03)

Approved for use through 07/31/2006. OMB 0651-0032

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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# FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☒ Applicant Claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$180.00)

**Complete if Known**

Application Number 10/061,216

Filing Date 2/4/2002

First Named Inventor Pogue, et al.

Examiner Name FOLEY, Shanon A.

Art Unit 1648

Attorney Docket No. 43276

**METHOD OF PAYMENT (check all that apply)**☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None☒ Deposit Account

Deposit Account Number

500933

Deposit Account Name

Large Scale Biology Corporation

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments☒ Charge any additional fee(s) or any underpayment of fee(s)☐ Charge fee(s) indicated below, except for the filing fee

to the above-identified deposit account.

**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	770	2001	385	Utility filing fee	
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	

SUBTOTAL (1) (\$)

**2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

		Extra Claims		Fee from below		Fee Paid
Total Claims	<input type="text"/>	-20**=	<input type="text"/>	X	<input type="text"/>	= <input type="text"/>
Independent Claims	<input type="text"/>	- 3**=	<input type="text"/>	X	<input type="text"/>	= <input type="text"/>
Multiple Dependent						= <input type="text"/>

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1202	18	2202	9	Claims in excess of 20
1201	86	2201	43	Independent claims in excess of 3
1203	290	2203	145	Multiple dependent claim, if not paid
1204	86	2204	43	**Reissue independent claims over original patent
1205	18	2205	9	**Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)

\*\* or number previously paid, if greater; For Reissues, see above

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	180.00
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$180.00)

**SUBMITTED BY**

Name (Print/Type)

Thomas Gallegos

Registration No.  
(Attorney/Agent)

32,692

**Complete (if applicable)**

Telephone

(707) 469-2307

Signature

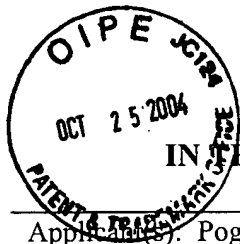
Date

21 Oct 2004

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Pogue et al.

Serial No.: 10/061,216

Filed: 2/4/2002

Title: Production of a Parvovirus Vaccine in  
Plants as Viral Coat Protein Fusions

Attorney Docket No.: 43276

Group Art Unit: 1648

Examiner: FOLEY, Shanon A.

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Dear Sir:

This Supplemental Information Disclosure Statement is submitted under 37 CFR 1.97(c) together with a \$180.00 fee under 37 CFR 1.17(p) (after the CFR 1.97(b) time period, but before final action or notice of allowance, whichever occurs first).

Applicant(s) submit herewith Form PTO 1449-Information Disclosure Citation together with copies, of patents, publications or other information of which applicant(s) are aware, which applicant(s) believe(s) may be material to the examination of this application and for which there may be a duty to disclose in accordance with 37 CFR 1.56.

The relevance of the attached references is that this is the closest art of which Applicant is aware. Applicant submits that the above references taken alone or in combination neither anticipate nor render obvious the present invention. Consideration of the foregoing in relation to this application is respectfully requested.

It is requested that the information disclosed herein be made of record in this application.

I hereby certify that this Correspondence is being deposited with the United States Postal service with sufficient postage for first class mail in an envelope address to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or the correspondence is being facsimile transmitted to the USPTO, on the date indicated below.

Date of Deposit: 21 Oct 2004

Typed Name: Thomas Gallegos

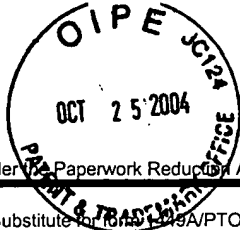
Signature: Tom Gallegos

Respectfully submitted,

Thomas Gallegos  
Thomas Gallegos, Reg. No. 32,692  
Attorney/Agent for Applicant(s)

Date: 21 Oct 2004

Telephone No. (707) 469-2307



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PTO/SB/08a (08-03)

Approved for use through 07/31/2006. OMB 0651-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (Use as many sheets as necessary)		<b>Complete if Known</b>			
		Application Number	10/061,216		
		Filing Date	2/4/2002		
		First Named Inventor	Pogue et al.		
		Art Unit	1648		
		Examiner Name	FOLEY, Shanon A.		
Sheet	1	of	2	Attorney Docket Number	43276

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number - Kind Code <sup>2</sup> (if known)			
		US-4,921,802	5/1/1990	HALL et al.	
		US-5,785,974	7/28/1998	ALVAREZ et al.	
		US-5,977,438	11/2/1999	TURPEN et al.	

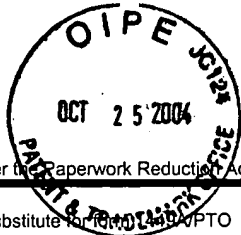
FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> - Number <sup>4</sup> - Kind Code <sup>5</sup> (if known)				
		WO 96/12028	4/25/1996	TURPEN et al.		
		WO 97/39134	10/23/1997	WILSON et al.		
		WO 97/49425	12/31/1997	BEEKMAN et al.		
		WO 99/46288	9/16/1999	GARGER et al.		
		EP 0726312	8/14/1996	EKEZE et al.		

Examiner Signature		Date Considered	
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.

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				Application Number	10/061,216
				Filing Date	2/4/2002
				First Named Inventor	Pogue et al.
				Art Unit	1648
				Examiner Name	FOLEY, Shanon A.
Sheet	2	of	2	Attorney Docket Number	43276

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
		ALVAREZ, et al., SEQ ID NO. 1, WO 94/17098	
		ALVAREZ, et al., SEQ ID NO. 2, WO 94/17098	
		BAKER, et al., "Polyethylenimine (PEI) is a simple, inexpensive and effective reagent for condensing and linking plasmid DNA to adenovirus for gene delivery", <i>Gene Therapy</i> (1997) 4(8):773-82	
		DALSGAARD, et al., "Plant-derived vaccine protects target animals against a viral disease", <i>Nature Biotech.</i> (1997) 15:248-252	
		FITCHEN, et al., "Plant virus expressing hybrid coat protein with added murine epitope elicits autoantibody response", <i>Vaccine</i> (1995) 13(12):1051-57	
		GIRARD and HIRTH, "Methodes d'etudes des virus", <i>Virologie Moleculaire</i> (1989) pp. 61-65	
		HANSEN, "Production of recombinant antigens in plants for animal and human immunization - a review", <i>Brazilian J. of Gen.</i> (1997) 20(4):703-711	
		JERALA, et al., "Improved expression and evaluation of polyethyleneimine precipitation in isolation of recombinant cysteine proteinase inhibitor stefin B", <i>Protein Exp. and Purif.</i> (1994) 5:65-69	
		KOO, et al., "Protective immunity against murine hepatitis virus (MHV) induced by intranasal or subcutaneous administration of hybrids of tobacco mosaic virus that carries an MHV epitope", <i>Proc. Natl. Acad. Sci. USA</i> (1999) 96:7774-7779	
		LANGEVELD, et al., "Effective induction of neutralizing antibodies with the amino terminus of VP2 of canine parvovirus as a synthetic peptide", <i>Vaccine</i> (1994) 12(15):1473-08	
		TURPEN, et al., "Malarial epitopes expressed on the surface of recombinant tobacco mosaic virus", <i>Bio/Tech.</i> (1995) 13:53-57	

Examiner Signature		Date Considered	
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.

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